

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FACEBOOK, INC.,

Plaintiff,

v.

PHOENIX MEDIA/COMMUNICATIONS
GROUP, INC., PEOPLE2PEOPLE GROUP,
INC., TELE-PUBLISHING, INC., AND FNX
BROADCASTING LLC,

Defendants.

C.A. No. 1:10-cv-11917-DPW

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Plaintiff Facebook, Inc. (“Facebook”) and Defendants Phoenix Media/Communications Group, Inc., People2People Group, Inc., Tele-Publishing, Inc., and FNX Broadcasting LLC (collectively, “Defendants”) submit this Joint Claim Construction and Prehearing Statement regarding the construction of claim terms of U.S. Patent Nos. 6,199,157 (the “’157 patent”) and 6,314,458 (the “’458 patent”).

I. CLAIM CONSTRUCTION HEARING

The parties believe that four hours total may be required for argument on claim construction. Neither Facebook nor Defendants will call any witnesses. The parties will be prepared to provide a brief overview or tutorial on the patents if the Court would find that information useful.

II. PROPOSED ORDER OF CLAIM CONSTRUCTION ARGUMENTS

The parties propose the following order for presentation at the *Markman* hearing:

A. ’157 Patent

1. “Item”

By Facebook

By Defendants

2. “Optional component”

By Facebook

By Defendants

3. “Options”

By Facebook

By Defendants

4. “Hierarchical option tree”

By Facebook

By Defendants

5. “Instance creation file”

By Facebook

By Defendants

6. “Configuration selector,” “configuration generator,” “editor”

By Defendants

By Facebook

B. ’458 Patent

1. “Request for service”

By Facebook

By Defendants

1. “Database change notice”

By Facebook

By Defendants

2. “Security server”

By Facebook

By Defendants

3. “Mechanism”

By Defendants

By Facebook

III. JOINT CLAIM CONSTRUCTION CHART

Attached as Appendix A is a joint claim construction chart listing the disputed terms and each party’s proposed constructions. The chart also lists the parties’ agreed-upon constructions.

FACEBOOK, INC.,

PHOENIX MEDIA/COMMUNICATIONS
GROUP, INC., PEOPLE2PEOPLE GROUP, INC. and
FNX BROADCASTING LLC,

By its attorneys,

By their attorneys,

/s/ Reuben H. Chen

Reuben H. Chen

/s/ H. Joseph Hameline

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Dated: March 15, 2013

CERTIFICATE OF SERVICE

I, Reuben H. Chen, hereby certify that pursuant to Local Rule 5.4(C), this document has been filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF). For those parties indicated as non-registered participants, if any, a paper copy will be sent by facsimile and/or U.S. First Class Mail on March 15, 2013.

/s/ Reuben H. Chen

Reuben H. Chen

1104258 /HN